

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

WILLIAM CARTER,

Petitioner,

v.

MARK STRINGER,

Respondent.

No. 4:20-CV-1585 SEP

MEMORANDUM AND ORDER

Before the Court are Petitioner's Motions for Appointment of Counsel. Docs. [20], [21], [23]. For the reasons set forth below, the Motions are denied without prejudice.

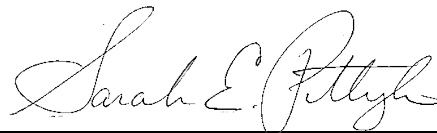
There is no constitutional or statutory right to appointed counsel in civil cases. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including: (1) whether the petitioner has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the petitioner will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the petitioner's allegations; and (4) whether the factual and legal issues presented by the action are complex. *See Johnson v. Williams*, 788 F.2d 1319, 1322-23 (8th Cir. 1986); *Nelson*, 728 F.2d at 1005.

Petitioner has presented non-frivolous allegations in his Petition for Writ of Habeas Corpus, but so far there is no basis to conclude that he cannot adequately investigate and present his claims to the Court. Additionally, neither the factual nor the legal issues in this case are complex. Therefore, the Court will deny Petitioner's requests for counsel at this time.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's Motions for Appointment of Counsel ([Docs. [20], [21], [23]]) are **DENIED** without prejudice.

Dated this 10th day of January, 2022.



SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE